

corded as voting "nay" on the motion to recess.

SEVENTEENTH DAY

(Continued)

(Monday, April 12, 1954)

After Recess

The Senate met at 10:00 o'clock a. m., and was called to order by the President.

Leaves of Absence

Senator Kelley was granted leave of absence for today and tomorrow to attend the annual meeting of the National Foreign Relations Commission of the American Legion in Washington, D. C., which meeting was set up six months ago for the purpose of preparing a report to be presented to the National Executive Committee of the American Legion, on motion of Senator Bell.

Senator Hazlewood was granted leave of absence for today, on account of illness, on motion of Senator Phillips.

Reports of Standing Committees

Senator Lane, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 36, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. H. C. R. No. 36 was read first time.

Senator Lock, by unanimous consent, submitted the following reports:

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Fi-

nance, to whom was referred H. C. R. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 11, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 22, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 25, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 28, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 29, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 30, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred S. B. No. 35, have had the same under consideration and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred S. B. No. 37, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Fi-

nance, to whom was referred S. B. No. 40, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred S. B. No. 42, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
April 10, 1954.

Hon. Ben Ramsey, President of the Senate:

sir: We, your Committee on Finance, to whom was referred S. B. No. 14, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with amendment and be printed.

LOCK, Chairman.

House Bill 61 on Second Reading

The President laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 61, A bill to be entitled "An Act making it unlawful for any person to place or permit to remain outside of any dwelling, building, or structure, or within same, any icebox or similar container of a specified capacity and having an opening of a specified size in places accessible to children; providing a penalty for the violation hereof; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 61 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 61 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
Moffett	Weinert
Moore	Willis

Absent

Corbin McDonald

Absent—Excused

Hazlewood Kelley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Bell moved that the caption of H. B. No. 61 be amended to conform to the body of the bill.

The motion prevailed by the following vote:

Yeas—28

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
Moffett	Willis
Moore	

Absent

McDonald

Absent—Excused

Hazlewood Kelley

The bill, as amended was then passed by the following vote:

Yeas—28

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
Moffett	Willis
Moore	

Absent

McDonald

Absent—Excused

Hazlewood Kelley

House Bill 91 on Second Reading

The President laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 91, A bill to be entitled "An Act amending Chapter 13, House Bill No. 6, Chapter 492, Acts, Fifty-second Legislature, 1951, by the addition of a new section regulating the use of polling places in counties having a population in excess of eight hundred thousand (800,000) inhabitants, according to the last preceding Federal Census; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill No. 91 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 91 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Latimer
Bell	Lock
Bracewell	Martin
Colson	McDonald
Corbin	Moffett
Fuller	Moore
Hardeman	Parkhouse
Kazen	Phillips

Rogers	Secrest
of Childress	Shireman
Rogers of Travis	Strauss
Russell	Wagon seller
Rutherford	Weinert
Sadler	Willis

Absent—Excused

Hazlewood Kelley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood Kelley

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 18, A bill to be entitled "An Act amending Section 1 of Senate Bill 379, Chapter 496, Acts 52nd Legislature, Regular Session (Article 2654-3a, Section 1, V. C. S.); and amending Articles 2671 and 2673, Revised Civil Statutes of 1925, as amended by Senate Bill 113, Chapter 278, Acts 41st Legislature, Regular Session, as amended by Senate Bill 356, Chapter 8, Acts 46th Legislature, Regular Session, and as amended by House Bill 309, Chapter 248, Acts of the 48th Legislature, Regular Session, all relating to the investment of the Permanent School Fund by the State

Board of Education; and declaring an emergency."

S. B. No. 53, A bill to be entitled "An Act ratifying, confirming and validating the creation and organization of The Grayson County Water Improvement District No. 1; etc., and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act making an appropriation to the Department of Public Safety for payment of the salary of an additional Radio Dispatcher at its Harlingen Station, and declaring an emergency."

H. B. No. 125, A bill to be entitled "An Act creating a more efficient road system for Cameron County by authorizing the Commissioners Court to acquire right-of-way for public roads of a greater width than now allowed by General Law by purchase, gift, or condemnation; providing that this Act shall be cumulative of all other laws on the subject of acquiring right-of-way for public roads; and declaring an emergency."

H. B. No. 127, A bill to be entitled "An Act providing that a portion of the Sabine River from its source to its juncture with the east boundary line of Wood County shall hereafter be deemed a non-navigable stream insofar as hunting and fishing rights on and along said stream are concerned."

H. B. No. 129, A bill to be entitled "An Act creating ten temporary special district courts."

H. B. No. 24, A bill to be entitled "An Act to amend subparagraph (b) of paragraph (3) of section 1, Article 3.50, subchapter E, of the Insurance Code, Acts 1951, 52nd Legislature, Chapter 491; and the amendment thereto, same being House Bill No. 364, Chapter 345, Acts of the 53rd Legislature, Regular Session, 1953, so as to provide that premiums on policies issued to an incorporated city, town or village, may be paid wholly from funds contributed by the insured employees, or wholly from funds contributed by the policyholder or from funds contributed by both the policyholder and insured employees when so authorized by the charter of such city, town or village; providing a saving clause; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 25, A bill to be entitled "An Act making a supplementary ap-

propriation for the fiscal year beginning September 1, 1953, and for the fiscal year beginning September 1, 1954, to pay the per capita apportionment to public junior colleges provided for in Section IV of Chapter 81, Acts of the Regular Session of the 53rd Legislature, and declaring an emergency."

H. B. No. 42, A bill to be entitled "An Act extending the date for renewal of vehicle registrations for use during the Motor Vehicle Registration Year beginning April 1, 1954; suspending conflicting laws; and declaring an emergency."

H. B. No. 43, A bill to be entitled "An Act fixing the maximum ad valorem tax rates which may be levied by common school districts that maintain a twelve-year program of instruction, other than rural high school districts; providing a severability clause; suspending conflicting laws; and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act creating the office of District Attorney in the 43rd Judicial District composed of the Counties of Wise, Jack and Parker; prescribing the duties of District Attorney; providing for his compensation; providing for an election of District Attorney for said Judicial District at the next general election after the effective date of this Act and each general election thereafter; and declaring an emergency."

H. B. No. 45, A bill to be entitled "An Act amending Section 2 of Senate Bill No. 439, Chapter 373, Acts of the Fifty-second Legislature, Regular Session, 1951, so as to provide for additional Directors for the District; amending Section 5 so as to enlarge the power of eminent domain; amending Section 7 so as to authorize the issuance of tax bonds; amending Section 8 so as to authorize the issuance of revenue refunding bonds; amending Section 9 so as to provide for additional security for revenue bonds; amending Senate Bill No. 439, Chapter 373, Acts of the Fifty-second Legislature, Regular Session, 1951, by adding a new section to be known as Section 9a authorizing the issuance of tax bonds and matters relating thereto; amending Section 16 by adding subparagraphs (d) and (e) so as to provide for annexing additional territory to the District in San Patricio, Aransas and Refugio Counties and

providing for the assumption of its proportionate share of outstanding indebtedness of the District by such territory; amending Senate Bill No. 439, Chapter 373, Acts of the Fifty-second Legislature, Regular Session, 1951, by adding a new section to be known as Section 17a so as to provide that the District shall be governed by the General Laws except when in conflict with this Act; validating the acts of the Board of Directors and Officers of the District; and declaring an emergency."

H. B. No. 47, A bill to be entitled "An Act making an appropriation to the East Texas State Teachers College for the purpose of repairing and/or replacing its refrigeration and slaughterhouse, and the equipment therein, which was damaged by fire on September 25, 1953; and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act to authorize the Board for Texas State Hospitals and Special Schools to contract with public schools in the State of Texas to educate inmates of Special Schools and to pay to the public schools; and declaring an emergency."

H. B. No. 53, A bill to be entitled "An Act authorizing and directing the State Highway Department, acting through its Chief Engineer, to execute and deliver a release and quitclaim of certain abandoned highway right-of-way lands in Cooke County, Texas, to the owner of said land; and declaring an emergency."

H. B. No. 56, A bill to be entitled "An Act amending Sections 9 and 13 of Chapter 118, Acts of the 52nd Legislature, increasing the annual renewal fee for licensed vocational nurses and changing the basis for transfer of excess funds in the Vocational Nurse Examiners Fund to the General Revenue Fund; making an appropriation to the Board of Vocational Nurse Examiners for employment of additional personnel; and declaring an emergency."

H. B. No. 71, A bill to be entitled "An Act to supplement the appropriation to the Board of Medical Examiners contained in House Bill No. 111, Chapter 81, Acts of the 53rd Legislature, 1953, page 127 at page 250, so as to increase the salaries of the investigators contained in Item 3 of said appropriation and to increase the travel-

ing expense, contained in Item 5 of the appropriation; making necessary appropriations; and declaring an emergency."

H. B. No. 151, A bill to be entitled "An Act providing an open season for hunting wild buck deer, wild turkey gobblers and collared peccary or javelina, in Justice Precinct No. 1 in Kenedy County; and declaring an emergency."

H. B. No. 152, A bill to be entitled "An Act making supplementary appropriations for the support and operation of the State Government for the biennium ending August 31, 1955, and declaring an emergency."

H. B. No. 155, A bill to be entitled "An Act to create an additional County Criminal Court for Dallas County, Texas; and declaring an emergency."

H. B. No. 157, A bill to be entitled "An Act reorganizing the 75th Judicial District of Texas to be composed of Liberty and Chambers Counties and prescribing the jurisdiction and fixing the terms thereof; and declaring an emergency."

H. B. No. 131, A bill to be entitled "An Act making an emergency appropriation out of the State Highway Fund for the operation of the License and Weight Division of the Texas Department of Public Safety; and declaring an emergency."

H. B. No. 132, A bill to be entitled "An Act further defining the Practice of Dentistry by adding a new subsection in the Civil Statutes and the Penal Code, providing for a severance clause and declaring an emergency."

H. B. No. 134, A bill to be entitled "An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, heretofore incorporated or attempted to be incorporated under the general laws of this State; and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act ratifying, confirming and validating the creation and organization of the Grayson County Water Improvement District No. —, the annexation of territory thereby, the election and qualification of Directors thereof, the levying, assessment and equalization of taxes thereby and the issuance of bonds thereby, the election for the issuance of bonds thereby

and the canvassing and recording of the results thereof; and declaring an emergency."

H. B. No. 146, A bill to be entitled "An Act making an appropriation for carrying out the provisions of the Adult Probation and Parole Law, for the operation of a paid parole program under the supervision of the Board of Pardons and Paroles; and declaring an emergency."

H. B. No. 137, A bill to be entitled "An Act to amend Item 34, Page 282, Article III, House Bill No. 111, Chapter 81, Acts of the 53rd Legislature, so as to supplement the appropriation for travel expense for Rate Inspectors, Motor Transportation Division, Railroad Commission; and declaring an emergency."

S. B. No. 45, A bill to be entitled "An Act creating an additional district court in and for the counties of Gonzales, Colorado, Lavaca and Guadalupe to be known as the 149th Judicial District; adjusting the business of the 25th Judicial District to the business thereof; etc., and declaring an emergency."

(With Amendments.)

S. B. No. 21, A bill to be entitled "An Act creating three temporary Special District Courts as follows: (1) the Special Criminal District Court of Dallas County; (2) the Special 37th District Court for Bexar County; and (3) the Special Criminal District Court of Bexar County; prescribing the jurisdiction, terms, and duration of such courts and adjusting the jurisdiction, terms and, business of other District Courts in the counties in which the new courts are to function; etc., and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act to amend Article III, Section 1, of the Foundation School Program Act (Senate Bill No. 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949); authorizing the approval of certain Foundation Program professional units; and declaring an emergency."

S. B. No. 10, A bill to be entitled "An Act amending Section 4, Chapter 177, Acts of 53rd Legislature, 1953, Regular Session, providing that the validation of the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, and the

boundaries thereof, shall not apply to any city or town involved in litigation questioning the legality of the incorporation or extension of boundaries, at the time of the effective date of the original Act; and declaring an emergency."

H. B. No. 73, A bill to be entitled "An Act making it unlawful to hunt, take, or kill wild quail, white mourning doves, or wild white-winged doves in Bailey County for a period of two years; providing a penalty; repealing conflicting laws; and declaring an emergency."

H. B. No. 77, A bill to be entitled "An Act making an appropriation for payment of refund of certain taxes on coin-operated machines erroneously paid to the State; making an appropriation for payment of a warrant on which the Statute of Limitations prohibits payment; and declaring an emergency."

H. B. No. 79, A bill to be entitled "An Act making an appropriation to the Texas Commission on Alcoholism for the purpose of carrying out the provisions of Chapter 441, Acts, 53rd Legislature, 1953, including the payment of salaries, and all necessary operating and contingent expenses; and declaring an emergency."

H. B. No. 82, A bill to be entitled "An Act establishing in the Texas Western College, a branch of the University of Texas, located at El Paso, a School of Nursing, and making an appropriation for said school; and declaring an emergency."

H. B. No. 84, A bill to be entitled "An Act amending Section 1 of Chapter 288, Acts of the Regular Session of the 53rd Legislature, relating to contracts employing superintendents, principals, teachers, and other executive officers in certain school districts, so as to include all common school districts and all districts which are classified as common school districts; repealing conflicting laws; and declaring an emergency."

H. B. No. 86, A bill to be entitled "An Act amending Section 1 of Chapter 380, Acts of the 48th Legislature, 1943, which authorizes a tax levy for creating county health units in counties having a population of less than 22,000, by increasing the amount of the authorized levy to ten cents on

each one hundred dollars valuation, by requiring that the maximum rate to be levied in each county be determined by an election, and by making provision for increasing or reducing such maximum rate; and declaring an emergency."

H. B. No. 89, A bill to be entitled "An Act amending Sections 1 (c), and 4, of Senate Bill No. 124, Chapter 197, Acts of the 53rd Legislature, Regular Session, 1953, so as to provide for the additional coverage of certain persons who are fully paid their salaries from Federal Funds of the United States, but who are classified by the United States Government as State Employees; providing that all provisions of the laws governing participation in social security benefits shall apply to these persons, except that no matching contribution will ever be paid by the State of Texas; authorizing the Adjutant General of Texas and the State Department of Public Welfare to negotiate all necessary agreements between themselves and with the United States; and declaring an emergency."

H. B. No. 90, A bill to be entitled "An Act appropriating money received from the Federal Government in reimbursement for Moore Army Air Field; and declaring an emergency."

H. B. No. 95, A bill to be entitled "An Act amending Section 1 of Senate Bill 379, Chapter 496, Acts 52nd Legislature, Regular Session (Art. 2654-3a, Sec. 1, Sec. V. C. S.); and amending Articles 2671 and 2673, Revised Civil Statutes of 1925, as amended by Senate Bill 113, Chapter 278, Acts 41st Legislature, Regular Session, as amended by Senate Bill 356, Chapter 8, Acts 46th Legislature, Regular Session, and as amended by House Bill 309, Chapter 248, Acts of the 48th Legislature, Regular Session, all relating to the investment of the Permanent School Fund by the State Board of Education; and declaring an emergency."

H. B. No. 100, A bill to be entitled "An Act amending Chapter 59, Acts of the 39th Legislature, 1925, as amended, respecting the authority of the county school trustees to form, combine, and annex school districts; and declaring an emergency."

H. B. No. 102, A bill to be entitled "An Act regulating the taking of fish

in the fresh waters of Grayson and Cooke Counties, including Lake Texoma in Texas; prescribing certain offenses and the penalties therefor; repealing Chapter 397, Acts of the Regular Session of the 53rd Legislature, and other laws in conflict herewith; and declaring an emergency."

H. B. No. 104, A bill to be entitled "An Act making an appropriation for remodeling and renovating the sewerage system at the Gainesville State School for Girls, and declaring an emergency."

H. B. No. 106, A bill to be entitled "An Act amending Sections 1, 3 and 4 of Chapter 302, Acts of the Fifty-second Legislature, 1951, as amended by Chapter 218, Acts of the Fifty-third Legislature, 1953, which authorizes the Commissioners Court of certain counties to establish traffic zones on county roads and on county property used for the parking or movement of motor vehicles and to otherwise regulate the presence and operation of motor vehicles on such roads and on such county property; prescribing penalties for violation of its provisions, and making it applicable to all counties having a population of five hundred thousand (500,000) or more; and declaring an emergency."

H. B. No. 107, A bill to be entitled "An Act which authorizes the Commissioners Court of certain counties to establish regulations requiring the registration, the tagging, and the vaccination for rabies of all dogs in a county and to control the running at large of dogs in such county; to retain dogs allowed to run at large; prescribing penalties for violation of its provisions, and making it applicable to all counties having a population of six hundred thousand (600,000) or more; providing that if any portion of the Act is unconstitutional, it shall not affect the remainder thereof; and declaring an emergency."

H. B. No. 110, A bill to be entitled "An Act amending Section 4 of House Bill No. 258, Chapter 125, Acts of the Regular Session of the 45th Legislature (codified as Section 4 of Article 6243e in Vernon's Texas Civil Statutes), providing the method for apportioning State appropriations for firemen's relief and retirement, and declaring an emergency."

H. B. No. 111, A bill to be entitled "An Act making an appropriation to

the Water Resources Committee for the biennium ending August 31, 1955; stating certain conditions and restrictions on the expenditure of the funds; and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act making appropriations to the State Board of Hairdressers and Cosmetologists, supplementing Items 15 and 16 of the appropriation in Chapter 81, Acts of the Regular Session of the 53rd Legislature; and declaring an emergency."

H. B. No. 118, A bill to be entitled "An Act to amend Section 2 of Article 3912c-4d, Revised Civil Statutes of the State of Texas, 1925, as amended, relating to the compensation of certain District, County and Precinct officers in Counties having a population of Five Hundred Thousand (500,000) but not exceeding Six Hundred Thousand (600,000) according to the last preceding Federal Census so as to include the County Clerk and to fix his salary; providing that the Commissioners' Court shall amend the 1954 budget to provide additional compensation for the County Clerk; and declaring an emergency."

H. B. No. 121, A bill to be entitled "An Act relating to Willacy County Navigation District; validating said district and all bonds thereof heretofore issued and all acts relating thereto; authorizing the Board of Navigation and Canal Commissioners of said District to construct, purchase, or otherwise acquire causeways and bridges including approaches, approach roads, fixtures, accessories, and equipment; authorizing the payment for such improvements by the issuance of tax bonds, revenue bonds, and tax-revenue bonds and containing provisions relating to said bonds and improvements; authorizing said Board to accept grants or loans from the Federal Government and its agencies and make contracts relating thereto; declaring this Act to be necessary for the navigation of the inland and coastal waters of the State, providing that this Act shall be liberally construed, and declaring that in carrying out the terms hereof, the District has all powers granted by the general laws; providing a saving clause; and declaring an emergency."

H. B. No. 65, A bill to be entitled "An Act to amend Chapter 81, General and Special Laws of the Fifty-third

Legislature of Texas, Regular Session, 1953, to provide that that part of Item 20 of the biennial appropriation for the Library and Historical Commission which sets forth the purposes for which such appropriation may be used shall be amended to allow for payment of salaries for book repairers and of per diem for members of the Commission; and declaring an emergency."

H. B. No. 136, A bill to be entitled "An Act to appropriate for the balance of the biennium ending August 31, 1955 to any State agency selling or transferring surplus property, pursuant to Article 666, Revised Civil Statutes of Texas as amended, all proceeds from such sales or transfers in conformity with Article 666, R. C. S."

The House has concurred in Senate amendments to House Bill No. 119 by vote of 117 yeas, and 1 nay.

S. B. No. 44, A bill to be entitled "An Act to amend Section 9 of Senate Bill No. 270, Chapter 7, Acts of the 46th Legislature, Regular Session, as amended by Senate Bill No. 158, Chapter 87, Acts of the 48th Legislature, Regular Session; and House Bill No. 437, Chapter 207, Acts of the 49th Legislature, Regular Session; and House Bill No. 353, Chapter 72, Acts of the 50th Legislature, Regular Session; etc.; and declaring an emergency."

S. B. No. 39, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59, of the Constitution comprising the territory contained within the City of Nacoma in Montague County, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing and transporting the same; providing for the annexation of additional territory thereto; providing for a Board of Directors for the government of said District; etc.; and declaring an emergency."

S. B. No. 49, A bill to be entitled "An Act creating, as a temporary court, the Special District Court of Midland County; prescribing the jurisdiction, terms, and duration of the court; etc.; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 33 by vote of 102 yeas, 4 nays.

The House refused to concur in Senate amendments to H. C. R. No. 34 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. The following conferees have been appointed on the part of the House: Mr. Kilgore, Mr. De la Garza, Mr. Allen, Mr. Jim Bates, Mr. Pipkin.

S. B. No. 51, A bill to be entitled "An Act creating as temporary courts the Special 138th District Court, for Willacy and Cameron Counties, and the Special 139th District Court, for Hidalgo County; etc.; and declaring an emergency."

S. C. R. No. 16, Suspending Joint Rules. With amendment.

S. B. No. 50, A bill to be entitled "An Act creating two (2) additional District Courts in Harris County, Texas, to be known as the 151st and the 152nd; providing that the courts created herein shall be temporary; adjusting the business of the existing District Courts to the business thereof; etc.; and declaring an emergency."

S. B. No. 43, A bill to be entitled "An Act creating an additional District Court for Angelina, Cherokee and Nacogdoches Counties, Texas, to be known as the Special Second District Court to the business thereof; providing for the appointment and compensation of a District Judge therefor; etc.; and declaring an emergency."

H. C. R. No. 19, Declaring legislative policy concerning the requirement for receiving a degree from any tax-supported State institution of higher education to include six credit hours in government.

H. C. R. No. 42, Commemorating the Golden Anniversary of Delta Tau Delta fraternity.

H. C. R. No. 45, Suspending the Joint Rules so that H. B. No. 122 may be considered.

H. C. R. No. 46, Suspending the Joint Rules so that H. B. Nos. 106 and 107 may be considered.

H. C. R. No. 48, Suspending the Joint Rules so that H. B. No. 153 may be considered.

H. C. R. No. 49, Suspending the

Joint Rules so that H. B. Nos. 132 and 137 may be considered.

H. C. R. No. 50, Suspending the Joint Rules so that H. B. No. 155 may be considered.

H. C. R. No. 51, Suspending the Joint Rules so that H. B. No. 47 may be considered.

H. C. R. No. 52, Suspending the Joint Rules so that H. B. Nos. 65 and 79 may be considered.

H. C. R. No. 53, Suspending the Joint Rules so that H. B. No. 25 may be considered.

H. C. R. No. 54, Suspending the Joint Rules so that H. B. No. 43 may be considered.

H. C. R. No. 55, Suspending the Joint Rules so that H. B. Nos. 102 and 104 may be considered.

H. C. R. No. 57, Suspending the Joint Rules so that H. B. No. 127 may be considered.

H. C. R. No. 58, Suspending the Joint Rules so that H. B. No. 48 may be considered.

H. C. R. No. 59, Suspending the Joint Rules so that H. B. No. 152 may be considered.

H. C. R. No. 60, Suspending the Joint Rules so that H. B. No. 45 may be considered.

H. C. R. No. 61, Suspending the Joint Rules so that H. B. No. 151 may be considered.

H. C. R. No. 62, Suspending the Joint Rules so that H. B. No. 82 may be considered.

H. C. R. No. 64, Suspending the Joint Rules so that H. B. No. 111 may be considered.

H. C. R. No. 65, Suspending the Joint Rules so that H. B. No. 90 may be considered.

H. C. R. No. 66, Suspending the Joint Rules so that H. B. No. 157 may be considered.

H. C. R. No. 68, Suspending the Joint Rules so that H. B. No. 50 may be considered.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Senate Resolution 90

Senator Moffett offered the following resolution:

Whereas, The Honorable R. R. Donaghey of Vernon, Texas, former County Attorney of Wilbarger County, and a former District Attorney of the 46th Judicial District, and a former Member of the House of Representatives of the 45th and 46th Texas Legislatures, is a visitor in the Capital City today; and

Whereas, This distinguished visitor is well and favorably known, not only in his home area but throughout the State; now, therefore, be it

Resolved, That he be officially welcomed to the State Capitol and be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Bill Signed

The President signed, in the presence of the Senate, after the caption had been read, the following enrolled bill, subject to the provisions of Section 49A of Article III of the State Constitution:

S. B. No. 2, A bill to be entitled "An Act making an appropriation for an increase in salaries of state officials and state employees for the period beginning with the effective date of this Act and ending on August 31, 1955, supplementing the salaries designated and/or provided for in H. B. 111, Acts of the Regular Session of the 53rd Legislature; and declaring an emergency."

Senate Resolution 91

Senator Strauss offered the following resolution:

Whereas, Abraham "Chic" Kazen III is visiting in the Senate today; and

Whereas, He is the son of our distinguished colleague, Senator Abraham "Chic" Kazen II of Laredo; now, therefore, be it

Resolved, By the Senate of Texas, that Abraham "Chic" Kazen III of Laredo be and he is hereby appointed and designated as an Honorary Page of the Senate; and, be it further

Resolved, That this Resolution be printed in the Journal and that a copy, under the official seal of the Senate, be furnished to Abraham "Chic" Kazen III.

STRAUSS.

Signed — Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Harde-
man, Hazlewood, Kazen, Kelley, Latimer, Lane, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Travis, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Strauss, the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Presentation of Guests

Senator Bracewell by unanimous consent presented students of the Eighth Grade of the Sheldon Independent School District of Harris County with their teachers Mr. Charles Bigham, Superintendent, Mr. Thomas Roberts, Francis Hargis and Leo Harper to the Members of the Senate.

Senate Resolution 92

Senator Bell offered the following resolution:

Whereas, Karnes County is this year celebrating its 100th Anniversary; and

Whereas, Karnes County is one of our pioneer Texas Counties and is named after Henry Karnes, a Texas war hero in its fight for independence; and

Whereas, Karnes County is noted for its cultivated lands which produce cotton, corn, grain, sorghums, peanuts, tomatoes, castor beans, broom corn, beans, peas, onions, guar and winter legumes, and Karnes County is the leading flax market in the State and a leading dairy center. Also Karnes County has linseed oil mills, cotton compresses, grain elevators along with outstanding citizens too numerous to mention; and

Whereas, Karnes County has always taken an important part in the early history and development of the State of Texas; and

Whereas, In commemoration of such 100th Anniversary the people of Karnes County are holding a Centennial Celebration on May 5th, 6th, 7th, 8th and 9th of this year; which said celebration will be centered in the communities of Karnes City, Kenedy

and Panna Maria, the first Polish Colony; and

Whereas, Pioneers from the entire State of Texas and particularly pioneers from Karnes County have been invited to attend the said Celebration and a great number of them are expected to attend such Celebration; and

Whereas, All members of the Legislature of the State of Texas are cordially invited to attend such celebration; now, therefore, be it

Resolved, By the Senate that the days of May 5th, 6th, 7th, 8th and 9th, 1954, be and are hereby designated as Karnes County Centennial Days, and that the Senate go on record as commending the citizens of Karnes County for the important part that they have played in our Texas history and for honoring their early pioneers by holding such an anniversary celebration on May 5th, 6th, 7th, 8th and 9th, 1954.

BELL
RUTHERFORD

The resolution was read and was adopted.

Senate Bill 45 with House Amendments

Senator Strauss called S. B. No. 45 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Strauss moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Votes

Senators Aikin and Hardeman asked to be recorded as voting "Nay" on the motion to concur in House amendments to S. B. No. 45.

Conference Committee on House Concurrent Resolution 34

Senator Kazen called from the President's table for consideration at this time the request of the House for a conference committee to adjust the differences between the two Houses on H. C. R. No. 34 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the resolution on the part of the Senate: Senators Kazen, Bell, Strauss, Lock and Rutherford.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

H. B. No. 155, to Committee on Counties and County Boundaries.

H. B. No. 50, to Committee on Counties and County Boundaries.

H. B. No. 89, to Committee on Counties and County Boundaries.

H. B. No. 45, to Committee on Counties and County Boundaries.

H. B. No. 118, to Committee on Counties and County Boundaries.

H. B. No. 151, to Committee on Game and Fish.

H. B. No. 106, to Committee on Counties and County Boundaries.

H. B. No. 107, to Committee on Counties and County Boundaries.

H. B. No. 102, to Committee on Game and Fish.

H. B. No. 134, to Committee on Towns and City Corporations.

H. B. No. 24, to Committee on Insurance.

H. B. No. 73, to Committee on Game and Fish.

H. B. No. 43, to Committee on Educational Affairs.

H. B. No. 127, to Committee on Game and Fish.

H. B. No. 44, to Committee on Counties and County Boundaries.

H. B. No. 53, to Committee on Counties and County Boundaries.

H. B. No. 65, to Committee on State Institutions and Departments.

H. C. R. No. 19, to Committee on Educational Affairs.

H. B. No. 71, to Committee on Finance.

H. B. No. 137, to Committee on Finance.	H. B. No. 136, to Committee on Finance.
H. B. No. 132, to Committee on Public Health.	H. B. No. 146, to Committee on Finance.
H. B. No. 25, to Committee on Finance.	H. B. No. 152, to Committee on Finance.
H. B. No. 40, to Committee on Finance.	H. B. No. 157, to Committee on Judicial Districts.
H. B. No. 42, to Committee on State Highways and Motor Traffic.	Conference Committee Report on Senate Bill 4
H. B. No. 47, to Committee on Finance.	Senator Bell submitted the following Conference Committee report on S. B. No. 4:
H. B. No. 56, to Committee on Public Health.	Austin, Texas, April 9, 1954.
H. B. No. 77, to Committee on Finance.	Honorable Ben Ramsey, President of the Senate;
H. B. No. 79, to Committee on Finance.	Honorable Reuben Senterfitt, Speaker of the House of Representatives.
H. B. No. 82, to Committee on Finance.	Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 4, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.
H. B. No. 84, to Committee on Educational Affairs.	KELLEY BELL STRAUSS LATIMER WILLIS
H. B. No. 86, to Committee on Public Health.	On the part of the Senate.
H. B. No. 90, to Committee on Finance.	MERIDITH DANIEL ALLEN BERGMAN
H. B. No. 95, to Committee on Educational Affairs.	On the part of the House.
H. B. No. 100, to Committee on Educational Affairs.	S. B. No. 4, A bill to be entitled "An Act finding a Communist conspiracy to be in existence committed to the overthrow of the government of the United States and of this State by force or violence, constituting a clear and present danger thereto; declaring to be illegal and unlawful the Communist Party of the United States, including its component or related parts and organizations, no matter under what name known, and all other organizations which engage in or advocate, abet, advise, or teach, or a purpose of which is to engage in or advocate, abet, advise, or teach, any activities intended to further the overthrow, destruction, or alteration of the constitutional form of the government of the United States, Texas, or any
H. B. No. 104, to Committee on Finance.	
H. B. No. 110, to Committee on Finance.	
H. B. No. 111, to Committee on Finance.	
H. B. No. 114, to Committee on Finance.	
H. B. No. 121, to Committee on State Affairs.	
H. B. No. 125, to Committee on State Affairs.	
H. B. No. 129, to Committee on Judicial Districts.	
H. B. No. 131, to Committee on Finance.	
H. B. No. 135, to Committee on Counties and County Boundaries.	

subdivision of either, by force or violence; depriving such Party and such other organizations of all rights, privileges, and immunities; providing for forfeiture of property to the State and procedure for recovery and disposition thereof; providing for prima facie evidence upon proof of certain facts; making it unlawful to commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, Texas, or any subdivision of either, by force or violence, or to advocate, abet, advise, or teach by any means any person to commit, attempt to commit, or aid in the commission of any such act, or to conspire to commit any of such acts, or to assist in the formation of, or participate in the management of, or contribute to the support of, or become or remain a member of, or destroy any books or records or files of, or secrete any funds of the Communist Party or any part thereof or any organization which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach any activities intended to further the overthrow, destruction, or alteration of the constitutional form of the government of the United States or Texas or any subdivision of either, by force or violence, knowing the nature of such organization; defining offenses and prescribing penalties, disqualifications, and forfeitures therefor; prohibiting suspension or probation of sentence by trial courts; providing for enforcement by restraining orders, injunctions, and other civil proceedings; providing for issuance and execution of search warrants; providing that the State Department of Public Safety shall assist in enforcement; authorizing such Department to employ help, make appropriate purchases, and pay travel and other expenses; making an appropriation for such expenditures; providing for severance in event of invalidity of any part; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Upon evidence and proof already presented before this Legislature, Congress, the courts of this

State, and the courts of the United States, it is here now found and declared to be a fact that there exists an international Communist conspiracy which is committed to the overthrow of the government of the United States and of the several States, including that of the State of Texas, by force or violence, such conspiracy including the Communist Party of the United States, its component or related parts and members, and that such conspiracy constitutes a clear and present danger to the government of the United States and of this State.

Sec. 2. The Communist Party of the United States, together with its component or related parts and organizations, no matter under what name known, and all other organizations, incorporated or unincorporated, which engage in or advocate, abet, advise, or teach, or a purpose of which is to engage in or advocate, abet, advise, or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Texas, or of any political subdivision of either of them, by force or violence, are hereby declared to be illegal and not entitled to any rights, privileges, or immunities attendant upon bodies under the jurisdiction of the State of Texas or any political subdivision thereof. It shall be unlawful for such Party or any of its component or related parts or organizations, or any such other organization, to exist, function, or operate in the State of Texas. Any organization which is found by a court of competent jurisdiction to have violated any provisions of this Section, in a proceeding brought for that purpose by the District Attorney, Criminal District Attorney, or County Attorney, shall be dissolved, and if it be a corporation organized and existing under the laws of this State or having a permit to do business in this State, its charter or permit shall be forfeited, and, whether incorporated or unincorporated, all funds, records, and other property belonging to such Party or any component or related part or organization thereof, or to any such other organization, shall be seized by and forfeited to the State of Texas, to escheat to the State as in the case of a person dying without

heirs. All books, records, and files of any such organization shall be turned over to the Attorney General.

Sec. 3. The fact of the registration of any person under the provisions of Article 6889-3 of the Revised Civil Statutes of Texas as an officer or member of any Communist organization shall not be received in evidence against such person in any proceeding for any alleged violation of this Act.

Sec. 4. As to any particular organization, proof of its affiliation with a parent or superior organization, inside or outside of this State, which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Texas, or of any political subdivision of either of them, by force or violence, shall constitute prima facie evidence that such particular organization engages in or advocates, abets, advises, or teaches, or has as a purpose the engaging in or advocating, abetting, advising, or teaching of, the same activities with the same intent.

Sec. 5. It shall be unlawful for any person knowingly or willfully to:

(1) Commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Texas, or of any political subdivision of either of them, by force or violence; or

(2) Advocate, abet, advise, or teach by any means any person to commit, attempt to commit, or aid in the commission of any such act, under such circumstances as to constitute a clear and present danger to the security of the United States, or of the State of Texas, or of any political subdivision of either of them; or

(3) Conspire with one or more persons to commit any of the above acts; or

(4) Assist in the formation of, or participate in the management of, or contribute to the support of, or become or remain a member of, or destroy any books or records or files of, or secrete any funds in this State of the Communist Party of the United

States or any component or related part or organization thereof, or any organization which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Texas, or of any political subdivision of either of them, by force or violence, knowing the nature of such organization.

Sec. 6. Any person who shall violate any of the provisions of Section 5 of this Act shall be guilty of a felony, and upon conviction thereof shall be fined not more than Twenty Thousand (\$20,000.00) Dollars, or imprisoned not less than one (1) year nor more than twenty (20) years in the State penitentiary, or may be both so fined and imprisoned. Provided that nothing in this Act shall be construed to repeal any part of Articles 83, 84, and 85 of the Penal Code of the State of Texas, relating to treason, nor any part of Articles 153 and 155 of the Penal Code of the State of Texas, relating to seditious writings and language; and provided further, that no person convicted of any violation of this Act shall ever be entitled to suspension or probation of sentence by the trial court.

Sec. 7. Any person who shall be convicted finally by a court of competent jurisdiction of violating any of the provisions of this Act shall from the date of such final conviction automatically be disqualified and barred from holding any office, elective or appointive, or any other position of profit, trust, or employment with the government of the State of Texas or any agency thereof, or of any county, municipal corporation, or other political subdivision of the State.

Sec. 8. The District Courts of this State and the judges thereof shall have full power, authority, and jurisdiction, upon the application of the State of Texas, acting through the District Attorney, Criminal District Attorney, or County Attorney, to issue any and all proper restraining orders, temporary and permanent injunctions, and any other writs and processes appropriate to carry out and enforce the provisions of this Act; no injunction or other writ shall be granted, used or relied upon under the provisions of this Act in any labor dispute or disputes. Such proceedings

shall be instituted, prosecuted, tried, and heard as other civil proceedings of like nature in such courts, provided that such proceedings shall have priority over other cases in settings for hearings; provided further, that no such proceeding shall be instituted unless and until the Director of the Texas State Department of Public Safety or his assistant in charge has been notified by telephone, telegraph, or in person of the intention to institute such proceeding, and an affidavit of such notice filed with the application for such injunction proceedings shall be sufficient for the filing of the same.

Nothing in this Act shall be construed to alter in any way the powers now held by the courts of this State or of this nation under the laws of this State in labor disputes.

Sec. 9. A search warrant may issue under Title 6 of the Code of Criminal Procedure for the purpose of searching for and seizing any books, records, pamphlets, cards, receipts, lists, memoranda, pictures, recordings, or any written instruments showing that a person or organization is violating or has violated any provision of this Act. Search warrants may be issued by any judge of a court of record in this State upon the written application of the District Attorney, Criminal District Attorney, or County Attorney, within their respective jurisdictions, accompanied by the affidavit of a credible person setting forth the name or description of the owner or person in charge of the premises to be searched, or stating that his name and description are unknown, the address or description of the premises, and showing that the described premises is a place where some specified phase or phases of this Act are violated or are being violated, or where are kept any books, records, pamphlets, cards, receipts, lists, memoranda, pictures, recordings, or written instruments of any kind showing a violation of some phase or phases of this Act; provided that if the premises to be searched constitute a private residence, such application for the search warrant shall be accompanied by the affidavits of two credible citizens. Except as herein provided, the application, issuance, and execution of any such warrant and all proceedings relative thereto shall conform to the applicable provisions of Title 6 of the Code of Criminal Procedure; provided that any evidence obtained by virtue of a search warrant

issued under the provisions of this Act shall not be admissible in evidence in the trial of any proceeding, administrative or judicial, save and except those arising under this Act.

Sec. 9a. The Internal Security Section of the Texas Department of Public Safety shall assist in the enforcement of the provisions of this Act, and for such purpose said Department may employ and pay the salaries and wages of such personnel and make such capital outlay purchases as it may deem necessary and pay necessary expenses, including but not limited to travel expenses (including automobile maintenance), all necessary operating expenses (including seasonal help), wages and salaries of employees, and make any and all other expenditures whatsoever necessary for the proper enforcement of the provisions of this Act; and for such purposes there is hereby appropriated out of the Operators and Chauffeurs License Fund such money as may be necessary, not to exceed the sum of Seventy-five Thousand (\$75,000.00) Dollars for the biennium ending August 31, 1955.

Sec. 10. If any section or any part whatever of this Act, or the application thereof to any person or circumstance, should be held for any reason to be invalid, such invalidity shall not affect or invalidate any portion of the remainder of this Act, and it is hereby declared that such remaining portions would have been enacted in any event.

Sec. 11. The fact that the laws of Texas are not now adequate to protect our government against persons and organizations engaging in acts and activities relating to and looking to the overthrow, destruction, or alteration of our constitutional form of government by force or violence, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee report was read and was adopted.

Reports of Standing Committee

Senator Secrest, by unanimous consent, submitted the following reports:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 50, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 89, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

House Bill 50 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 50 was ordered not printed.

House Bill 89 Ordered Not Printed

On motion of Senator Secrest and by unanimous consent H. B. No. 89 was ordered not printed.

Reports of Standing Committees

Senator Secrest by unanimous consent submitted the following reports:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 155, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 118, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

Senator Fuller, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 151, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FULLER, Chairman.

House Bill 155 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, H. B. No. 155 was ordered not printed.

House Bill 151 Ordered Not Printed

On motion of Senator Shireman, and by unanimous consent, H. B. No. 151 was ordered not printed.

House Bill 155 on Second Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 155 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Absent

Weinert

Absent—Excused

Hazlewood

Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 155, A bill to be entitled "An Act to create an additional County Criminal Court for Dallas County.

The bill was read the second time and was passed to third reading.

House Bill 155 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 155 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Kazen	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagonseller
Moffett	Weinert

Absent

Ashley	Willis
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Absent—Excused

Hazlewood	Kelley
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Report of Standing Committee

Senator Fuller, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 102, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FULLER, Chairman.

House Bill 89 on Second Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 89 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate, on its second reading and passage to third reading, the following bill:

H. B. No. 89, A bill to be entitled "An Act amending Sections 1(c) and 4, of Senate Bill No. 124, Chapter 197, Acts of the 53rd Legislature, Regular Session, 1953, so as to provide for additional coverage of certain persons who are fully paid their salaries from Federal funds of the United States, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 89 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 89 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Bell
Ashley	Bracewell

Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Kazen	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagon seller
Moore	Weinert
Parkhouse	Willis

Absent—Excused

Hazlewood	Kelley
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House Bill 50 on Second Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 50 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 50, A bill to be entitled "An Act to authorize the Board for Texas State Hospitals and Special Schools to contract with public schools in the State of Texas to educate inmates of special schools and to pay to the public schools, etc.; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 50 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 50 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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Reports of Standing Committee

Senator Secrest, by unanimous consent, submitted the following reports:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 45, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 106, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 107, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Senate Concurrent Resolution 16 with House Amendments

Senator Lane called S. C. R. No. 16 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Lane moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood Kelley

Report of Standing Committee

Senator Moore, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 24, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

MOORE, Chairman.

House Bill 45 Ordered Not Printed

On motion of Senator Bell and by unanimous consent H. B. No. 45 was ordered not printed.

House Bill 24 Ordered Not Printed

On motion of Senator Shireman and by unanimous consent H. B. No. 24 was ordered not printed.

House Bill 118 Ordered Not Printed

On motion of Senator Latimer and by unanimous consent H. B. No. 118 was ordered not printed.

House Bill 151 on Second Reading

Senator Shireman moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 151 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Absent

Weinert

Absent—Excused

Hazlewood Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 151, A bill to be entitled "An Act providing an open season for hunting wild buck deer, wild tur-

key gobblers, and collared peccary or javelina, in Justice Precinct No. 1, in Kenedy County, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 151 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 151 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committee

Senator Secrest, by unanimous consent, submitted the following reports:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 53, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 44, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

Senate Resolution 93

Senator Fuller offered the following resolution:

Whereas, We are honored today to have in the gallery 40 students in a class of Social Studies from Bridge City, County of Orange, accompanied by Barbara Dwyer, Mrs. R. L. Jackson and Grover Die; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe

and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Fuller presented the students and the sponsors and teachers to the Members of the Senate.

Report of Standing Committee

Senator Fuller, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 73, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FULLER, Chairman.

House Bill 44 Ordered Not Printed

On motion of Senator Wagonseller, and by unanimous consent, H. B. No. 44 was ordered not printed.

House Bills Nos. 106 and 107 Ordered Not Printed

On motion of Senator Bracewell, and by unanimous consent, H. B. Nos. 106 and 107 were ordered not printed.

House Bill 45 on Second Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 45 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Corbin
Ashley	Fuller
Bell	Hardeman
Bracewell	Kazen
Colson	Lane

Latimer	Rogers of Travis
Lock	Russell
McDonald	Rutherford
Moffett	Sadler
Moore	Secrest
Parkhouse	Shireman
Phillips	Strauss
Rogers	Wagonseller
of Childress	Willis

Nays—1

Martin

Absent

Weinert

Absent—Excused

Hazlewood

Kelley

The President then laid before the Senate on its second reading and passage to third reading, the following bill:

H. B. No. 45, A bill to be entitled "An Act amending Section 2 of Senate Bill No. 439, Chapter 373, Acts of the Fifty-second Legislature, Regular Session, 1951, so as to provide for additional Directors for the District; amending Section 5 so as to enlarge the power of eminent domain; amending Section 7 so as to authorize the issuance of tax bonds; amending Section 8 so as to authorize the issuance of revenue refunding bonds; amending Section 9 so as to provide for additional security for revenue bonds; amending Senate Bill No. 439, Chapter 373, Acts of the Fifty-second Legislature, Regular Session, 1951, by adding a new section to be known as Section 9a authorizing the issuance of tax bonds and matters relating thereto; amending Section 16 by adding subparagraphs (d) and (e) so as to provide for annexing additional territory to the District in San Patricio, Aransas and Refugio Counties; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 45 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 45 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
McDonald	Wagonseller
Moore	Willis

Nays—2

Martin

Moffett

Absent

Lock

Weinert

Absent—Excused

Hazlewood

Kelley

Report of Standing Committee

Senator Colson, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Institutions and Departments, to whom was referred H. B. No. 65, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COLSON, Chairman.

House Bill 65 Ordered Not Printed

On motion of Senator Moffett, and by unanimous consent, H. B. No. 65 was ordered not printed.

House Bill 44 on Second Reading

Senator Wagonseller moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 44 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Bracewell
Ashley	Corbin

Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Lane	Russell
Latimer	Rutherford
Lock	Sadler
McDonald	Secrest
Moffett	Shireman
Moore	Strauss
Parkhouse	Wagonseller
Phillips	Willis

Nays—1

Martin

Absent

Bell	Weinert
Colson	

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 44, A bill to be entitled "An Act creating the office of District Attorney in the 43rd Judicial District composed of the Counties of Wise, Jack and Parker; prescribing the duties of District Attorney; providing for his compensation; providing for an election of District Attorney for said Judicial District at the next general election after the effective date of this Act and each general election thereafter; and declaring an emergency."

The bill was read second time.

Senator Wagonseller offered the following amendment to the bill:

Amend House Bill No. 44 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. There is hereby created the office of District Attorney in the 43rd Judicial District of Texas composed of the Counties of Wise, Jack and Parker.

Sec. 2. There shall be elected at the next general election after the effective date of this Act and at each general election thereafter a District Attorney for the 43rd Judicial District of Texas composed of the Counties of Wise, Jack and Parker, who shall represent the State of Texas in all criminal cases in the 43rd District Court and perform such other duties as are or may be provided by law gov-

erning District Attorneys and he shall receive such compensation as is allowed by law to other District Attorneys in this State. The District Attorney first elected hereunder shall take office on January 1, 1955; and until that date the office shall remain vacant.

Sec. 3. Until January 1, 1955, the County Attorney in each of the several counties composing the 43rd Judicial District shall continue to perform the duties of the District Attorney in his respective county.

Sec. 4. The fact that there is a need for the creation of the office of District Attorney in the 43rd Judicial District composed of the Counties of Wise, Jack and Parker, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Wagonseller offered the following amendment to the bill:

Amend House Bill No. 44 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

"TO BE ENTITLED

"An Act creating the office of District Attorney in the 43rd Judicial District composed of the Counties of Wise, Jack and Parker; prescribing the duties of District Attorney; providing for compensation; providing for an election of District Attorney for said Judicial District at the next general election after the effective date of this Act and each general election thereafter; providing the date on which the District Attorney first elected hereunder shall take office and providing that the County Attorney in the respective counties composing said District shall continue to perform the duties of District Attorney until that date; repealing conflicting laws; and declaring an emergency."

The amendment was adopted.

The bill was read the second time and was passed to third reading.

House Bill 44 on Third Reading

The constitutional rule requiring bills to be read on three several days

having been suspended, the President laid H. B. No. 44 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Wagonseller
Moffett	Willis

Nays—1

Martin

Absent

Weinert

Absent—Excused

Hazlewood Kelley

House Bill 107 on Second Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 107 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagonseller
Moffett	Willis

Absent

Kazen Weinert

Absent—Excused

Hazlewood Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 107, A bill to be entitled "An Act which authorizes the Commissioners Court of certain counties to establish regulations requiring the registration, the tagging, and the vaccination for rabies of all dogs in a county and to control the running at large of dogs in such county; to retain dogs allowed to run at large; prescribing penalties for violation of its provisions, and making it applicable to all counties having a population of six hundred thousand (600,000) or more; providing that if any portion of the Act is unconstitutional, it shall not affect the remainder thereof; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 107 by striking out Section 1 and substituting therefor the following:

"Section 1. The Commissioners Court of any County in this State having a population of 800,000 or more according to the last preceding Federal Census is hereby authorized, by an order duly entered on the minutes of proceedings of said Court, to declare the area of said County, lying outside the boundaries of incorporated cities located therein, to be subject to a rabies epidemic of the dog population thereof. Upon such order being duly entered, as above described, finding that the existence of such epidemic is a menace to the health and safety of the people of such area of the County, said Commissioners Court shall be authorized to promulgate and establish regulations in accordance with this act to control all dogs running at large therein.

The Commissioners Court may declare such emergency to exist for a period not to exceed 12 consecutive months, at the expiration of which said Commissioners Court shall be authorized to extend the period of emergency for like periods of time by an order duly entered on the minutes thereof in the manner above described; provided however that before any such order is entered by the Commissioners Court, a public hearing shall be held by the Court concerning the proposed regulation."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 107 by striking out the words "County Clerk" wherever they appear in the bill and substituting therefor the words: "County Health Officer."

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 107 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 107 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Absent

Weinert

Absent—Excused

Hazlewood Kelley

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 134, have had the same under consideration, and we are

instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PARKHOUSE, Chairman.

House Bill 134 Ordered Not Printed

On motion of Senator Colson, and by unanimous consent, H. B. No. 134 was ordered not printed.

Senate Resolution 94

Senator Hardeman offered the following resolution:

Whereas, Our distinguished colleague, Hon. Jep S. Fuller and his charming wife, Mrs. Eva Fuller, are today celebrating their silver wedding anniversary; now, therefore, be it

Resolved, By the Senate, that it extend its congratulations and best wishes to Senator and Mrs. Jep Fuller on this milestone in their lives together.

HARDEMAN
AIKIN

Signed — Ben Ramsey, Lieutenant Governor; Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hazlewood, Kazen, Kelley, Latimer, Lane, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Travis, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Corbin, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

House Bill 65 on Second Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 65 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Hardeman
Ashley	Lane
Bell	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fuller	Moffett

Moore	Rutherford
Parkhouse	Sadler
Phillips	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	Wagonseller
Russell	Willis

Absent

Kazen Weinert

Absent—Excused

Hazlewood Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 65, A bill to be entitled "An Act to amend Chapter 81, General and Special Laws of the Fifty-third Legislature of Texas, Regular Session, 1953, to provide that that part of Item 20 of the biennial appropriation for the Library and Historical Commission which sets forth the purposes for which such appropriation may be used shall be amended to allow for payment of salaries for book repairers and of per diem for members of the Commission; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 65 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 65 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Absent

Weinert

Absent—Excused

Hazlewood Kelley

Report of Standing Committee

Senator Aikin, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. C. R. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senate Concurrent Resolution 17

Senator Kazen offered the following resolution:

S. C. R. No. 17, Directing Enrolling Clerk to make certain corrections in S. B. No. 51.

Be it resolved by the Senate, the House concurring, that the Enrolling Clerk of the Senate be, and is hereby, directed to correct S. B. No. 51 by making the effective date of the proposed Act to be September 1, 1954.

The resolution was read.

On motion of Senator Kazen, and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 134 on Second Reading

Senator Colson moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 134 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Fuller
Bell	Kazen
Bracewell	Lane
Colson	Latimer
Corbin	Lock

Martin	Russell
McDonald	Rutherford
Moffett	Sadler
Parkhouse	Secrest
Phillips	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Willis

Nays—1

Hardeman

Absent

Ashley	Weinert
Moore	

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 134, A bill to be entitled "An Act validating the incorporation of all cities and towns of 5,000 inhabitants or less."

The bill was read the second time.

Senator Rutherford offered the following amendment to the bill:

Amend H. B. No. 134 by deleting the words and phrase "or attempted to be incorporated" whenever and wherever it appears in Sec. 2 and Sec. 4.

The amendment was read.

Question—Shall the amendment by Senator Rutherford to H. B. No. 134 be adopted?

Presentation of Portrait of Colonel Albert C. Prendergast

The President announced the appointment of the following committee pursuant to the provisions of S. R. No. 76 to escort the distinguished guests to the Senate Chamber: Senators Parkhouse, Sadler, and Bell.

The delegation was escorted to the Senate Chamber.

The President presented Senator Parkhouse and he in turn presented General Crutcher, Chief of Staff of Texas Air National Guard, to the Senate as follows:

"General Crutcher is Chief of Staff for Texas Air National Guard matters. In this position his immediate com-

mander is Maj. Gen. K. L. Berry, the Adj. Gen. of Texas. General Crutcher has seen the reorganization of the Air National Guard in Texas from the period immediately following World War II to the present. During this period General Crutcher became closely associated with Colonel Prendergast, whose portrait we have here for presentation today. General Crutcher having been in the Texas Air National Guard these many years is well aware of the personal sacrifices which members of the Texas National Guard must undergo in order to accomplish the assigned mission to the State and Nation."

General Crutcher addressed the Senate as follows in presenting the portrait to the Senate:

The honor which belongs today to the memory of Col. Al Prendergast also warmly envelops members of his family, his friends and his fellow Guardsmen who are gathered here today.

His Mother from Dallas.

His Sister from San Antonio.

His Niece in school here at Texas University.

His Aunt from San Antonio.

His Wife (at the time of his death). While at her home in Dallas there are four swell youngsters who are also singularly honored.

The acceptance of this portrait of Col. Al Prendergast, 136th Fighter Bomber Wing C. O., to be hung in the Senate Chamber, marks a great day in the history of the Texas Air National Guard.

We in the Texas Air National Guard have earnestly endeavored to achieve recognition as a unit qualified to be compared with the renowned Texas Army National Guard units which have served our State and our Nation so gloriously.

Evidence that we now take our place alongside our Army Guard brothers is reflected in the following brief statistics:

Battle Credits, Awards—Decorations:

Three Presidential Unit Citations;

Battle Credits for Fifteen Different Campaigns in World War II;

The Wing participated in the following Korean Campaigns: Chinese Communist Forces Spring Offensive, United Nations Summer-Fall Offensive, Second Korean Winter, Korean Summer-Fall 1952, Third Korean Winter.

Some Wing Accomplishments in Korea:

40,000 hours combat; 15,515 combat sorties; enemy aircraft destroyed: 4 confirmed, 7 probable, 72 damaged; bombs dropped: 23,749 bombs, 7,120 tons; rockets fired: 4,564; napalm dropped: 228.80 tons, 715 tanks; 50 cal. rounds expended: 3,149,827.

Some Wing Firsts:

First ANG Wing reorganized under wing base plan; first ANG Wing mobilized since World War II; first ANG Wing to get F-84E's. (Thunder Jets); first ANG Wing in history to go into combat; first Fighter Bomber Wing in tactical air command to enter combat in the Korean conflict; first ANG Wing to down a MIG-15.

Responsible to a great degree for the success of the 136th Fighter Bomber Wing was Colonel Al Prendergast, the Wing Commander. Recognizing this, and feeling that Colonel Prendergast exemplified the many other Air National Guardsmen who sacrificed business, family and life so readily, cognizant of his duty to his State and his country, both in war and in peace, the members of the 136th Wing desired, while still in Japan, for this portrait to be presented to the State of Texas.

May I so present this portrait as such a reminder.

The President accepted the portrait of Colonel Prendergast on behalf of the Senate and the State of Texas.

Recess

On motion of Senator Hardeman, the Senate, at 12:10 o'clock p. m., took recess until 2:30 o'clock p. m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p. m. today.

House Bill 118 on Second Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 118 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading, the following bill:

H. B. No. 118, A bill to be entitled "An Act to amend Section 2 of Article 3912c-4d, Revised Civil Statutes of the State of Texas, 1925, as amended, relating to the compensation of certain District, County and Precinct officers in Counties having a population of Five Hundred Thousand (500,000) but not exceeding Six Hundred Thousand (600,000) according to the last preceding Federal Census so as to include the County Clerk and to fix his salary; providing that the Commissioners' Court shall amend the 1954 budget to provide additional compensation for the County Clerk; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 118 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 118 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Fuller
Ashley	Hardeman
Bell	Kazen
Bracewell	Lane
Colson	Latimer
Corbin	Lock

Martin	Russell
McDonald	Rutherford
Moffett	Sadler
Moore	Secrest
Parkhouse	Shireman
Phillips	Strauss
Rogers	Wagonseller
of Childress	Weinert
Rogers of Travis	Willis

Absent—Excused

Hazlewood	Kelley
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House Bill 106 on Second Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended, and that H. B. No. 106 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate, on its second reading and passage to third reading, the following bill:

H. B. No. 106, A bill to be entitled "An Act amending Sections 1, 3 and 4 of Chapter 302, Acts of the Fifty-second Legislature, 1951, as amended by Chapter 218, Acts of the Fifty-third Legislature, 1953, which authorizes the Commissioners Court of certain counties to establish traffic zones on county roads and on county property used for the parking or movement of motor vehicles and to otherwise regulate the presence and operation of motor vehicles on such roads and on such county property; prescribing penalties for violation of its

provisions, and making it applicable to all counties having a population of five hundred thousand (500,000) or more; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 106 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 106 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood	Kelley
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Report of Standing Committee

Senator Fuller, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 127, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FULLER, Chairman.

House Bill 127 Ordered Not Printed

On motion of Senator Fuller, and by unanimous consent, H. B. No. 127 was ordered not printed.

Senate Resolution 95

Senator Sadler offered the following resolution:

Whereas, Jerry Parkhouse, is visiting in the Senate today; and

Whereas, He is the son of our distinguished colleague, Senator George Parkhouse of Dallas; now, therefore, be it

Resolved, By the Senate of Texas, that Jerry Parkhouse of Dallas be and he is hereby appointed and designated as an Honorary Page of the Senate; and, be it further

Resolved, That this resolution be printed in the Journal and that a copy, under the official seal of the Senate, be furnished to Jerry Parkhouse.

The resolution was read and was adopted.

House Bill 73 on Second Reading

Senator Rogers of Childress moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 73 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 73, A bill to be entitled "An Act making it unlawful to hunt, take, or kill wild quail, wild mourning doves, or wild white-winged doves in Bailey County for a period of two years; providing a penalty; repealing conflicting laws; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 73 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 73 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood Kelley

House Bill 102 on Second Reading

Senator Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 102 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 102, A bill to be entitled "An Act regulating the taking of fish in the fresh waters of Grayson and Cooke Counties, including Lake Texoma in Texas; prescribing certain offenses and the penalties therefor; repealing Chapter 397, Acts of the Regular Session of the 53rd Legislature, and other laws in conflict herewith; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 102 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 102 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent—Excused

Hazlewood Kelley

Senate Resolution 96

Senator Bell offered the following resolution:

Whereas, We were honored today to have in the gallery 14 members of Senior Civics Class at the Skidmore-Tynan School of Skidmore, Texas, accompanied by their teachers, Mrs. Valenta, Mrs. Coker and Mr. LeRoy Hoff; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens was here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives.
Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 69, Suspending the Joint Rules.

The House has adopted the Conference Committee Report on Senate Bill No. 4 by a vote of 127 ayes and 7 noes.

H. C. R. No. 72, Honoring Mr. Morris Rauch of Houston, Texas.

H. B. No. 48, A bill to be entitled "An Act providing for constructing and equipping additional buildings for the Waco State Home at Waco, Texas; providing for the appropriation for constructing and equipping said buildings and expenses incidental thereto; providing a repealing clause, a saving clause; and declaring an emergency."

H. C. R. No. 47, Congratulating the City of Liberty and Liberty County, Texas, on the occasion of the celebration of their Bicentennial Anniversary.

S. B. No. 8, A bill to be entitled "An Act amending Section 4 of House Bill 863, Chapter 387, Page 927, Acts of the 53rd Legislature, Regular Session, 1953, by adding a new Section to be known as Section 4b; providing for the appropriation of Twenty-six Thousand (\$26,000.00) Dollars out of the 'Youth Development Council Fund' for the purpose of repairing the school building for negro boys at Gatesville State School for Boys; providing a repealing clause, a saving clause; and declaring an emergency."

S. B. No. 12, A bill to be entitled "An Act amending Chapter 5 of Title 122, Revised Civil Statutes of Texas

of 1925, by adding thereto a new Article to be known and designated Article 7122-a; providing in such Article methods and means by which it can be determined whether bequests, devises and gifts left to religious, educational or charitable organizations are to be used within the State of Texas; etc., and declaring an emergency."

(With Amendments.)

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 9, A bill to be entitled "An Act creating County Court at Law No. II of Nueces County, and prescribing its jurisdiction, original and appellate; and declaring an emergency."

H. B. No. 17, A bill to be entitled "An Act making it unlawful to take minnows from the waters of Bell County to transport them outside said county for sale, making the transportation of more than one hundred and twenty-five (125) minnows at any one time by any person or any minnows at any time by a commercial minnow dealer, or the purchase of more than five hundred (500) minnows by a commercial dealer prima facie evidence of a violation of this Act, making the possession of each minnow over the number a separate offense; and providing a penalty."

H. B. No. 32, A bill to be entitled "An Act fixing an open season on buck deer, wild turkey and quail in La Salle County; repealing all laws in conflict therewith; fixing a penalty; and declaring an emergency."

H. B. No. 33, A bill to be entitled "An Act fixing an open season on buck deer, wild turkey and quail in Live Oak County; repealing all laws in conflict therewith; fixing a penalty; and declaring an emergency."

H. B. No. 34, A bill to be entitled "An Act prescribing an open season on deer in Maverick County and that part of Val Verde County lying east of the Pecos River, containing a suit-

able penalty clause and a repealing clause, and declaring an emergency."

H. B. No. 54, A bill to be entitled "An Act regulating the use of seines and nets for taking fish in Bastrop County and prohibiting their use except under certain conditions; prohibiting the use of certain devices for taking fish in Bastrop County; prescribing penalties for violation of the Act; repealing conflicting laws; and declaring an emergency."

H. B. No. 105, A bill to be entitled "An Act providing that McNamara Vans and Warehouses, a corporation, shall be authorized to establish, operate and maintain a foreign trade zone at San Antonio, Bexar County, Texas; that it shall be and hereby is authorized to make application to the Foreign Trade Zones Board, Washington, D. C., for a grant permitting the establishment, operation and maintenance of a foreign trade zone at San Antonio, Bexar County, Texas, in accordance with the provisions of law and the regulations of the Foreign Trade Zones Board, and that when said application shall have been granted it is authorized to accept said grant; and declaring an emergency."

H. B. No. 30, A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all school districts, validating the consolidation of school districts, the annexation and detachment of territory of school districts, etc., and declaring an emergency."

H. B. No. 35, A bill to be entitled "An Act authorizing and directing the execution and delivery by the State Youth Development Council, acting through the Executive Secretary thereof, of a right-of-way easement to certain land in Houston County, Texas, to the State Highway Commission of the State of Texas, for the construction and maintenance of State Highway No. FM 2110 across the grounds of the Crockett State School; and declaring an emergency."

H. B. No. 21, A bill to be entitled "An Act authorizing and directing the Game and Fish Commission to convey certain land in Hays County, Texas, to San Marcos Independent School District, prescribing certain conditions of sale and declaring an emergency."

H. B. No. 51, A bill to be entitled "An Act amending Article 6954, Re-

vised Civil Statutes of Texas, 1925, as amended, which relates to certain stock law elections, so as to make it apply to Bowie County; and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act amending Acts 1937, 45th Legislature, Regular Session, page 333, Chapter 169, known as the Uniform Narcotic Drug Act, as amended, by amending Subsection (2) of Section 1 thereof as amended, changing and redefining the term 'licensed physician'; repealing all laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 123, A bill to be entitled "An Act authorizing each county in this State to purchase public platform tonnage scales upon written petition of not less than Five Hundred (500) inhabitants of the county; providing for the use of such scales; authorizing the Commissioners Court to adopt rules and regulations concerning the use of such scales and to prescribe fees therefor; authorizing the Commissioners' Court to lease, let or rent such scales; providing that such scales shall always be available for use by the public; providing a severability clause; and declaring an emergency."

H. B. No. 124, A bill to be entitled "An Act amending Sections 1, 2, 3 and 4 of Chapter 113, Acts, Regular Session, 52nd Legislature, regulating the taking and killing of deer in Bowie, Cass and Marion Counties; and declaring an emergency."

H. B. No. 57, A bill to be entitled "An Act validating contracts for supplemental water supply heretofore executed by and between Eligible Cities and Eligible Districts as defined herein when the payments under any such contract are to be made from the water revenues of such city, imposing no tax obligations on the city."

H. B. No. 88, A bill to be entitled "An Act creating 'Green Belt Municipal and Industrial Water Authority,' a conservation district under Article XVI, Section 59, of the Constitution comprising the territory contained within the cities of Childress, Clarendon, Wellington, Hedley, Memphis, Paducah, and Quanah, for the purpose of providing a source of water supply for municipal, domestic and industrial use; etc.; and declaring an emergency."

H. C. R. No. 14, Authorizing the Texas Ranger Memorial Association to erect a monument to the Texas Rangers on the State Capitol grounds.

H. C. R. No. 6, Granting permission to Mrs. Nita Joynes to sue the State of Texas.

H. C. R. No. 5, Granting Leo Wyres, W. W. Jordan, and Heart o' Texas Commission Company permission to sue the State of Texas and/or the Livestock Sanitary Commission of Texas.

H. C. R. No. 9, Granting Henry Piehl, Robert Vajdak, Adolph B. Sebesta, John Kovar, Ed Jakubik, Tony Kubicek, Joe Vavra, Joe Kulhanek, B. R. Sebesta, Joe Adamek, John A. Junek, E. G. Havel, Henry Vajdak, Jhon Maresh, Fred Junek, Edwin Janec, Tom Kubin, Stanley Macik, Joe Gerzik, and Tom Elsik permission to sue the State.

H. C. R. No. 12, Granting permission to H. C. Duke and Wayne F. Moyer to sue the State of Texas.

H. C. R. No. 18, Granting Ernest Loyd permission to bring suit against the State of Texas, and the State Highway Commission.

H. C. R. No. 21, Granting J. M. Sparks permission to sue the State of Texas.

H. C. R. No. 27, Granting Lola Ann Bland permission to file suit against the State of Texas.

H. C. R. No. 32, Authorizing Edward A. Little and Agnes C. Little to sue the State of Texas and the State Highway Department.

H. C. R. No. 37, Memorializing Congress as to the creation of an International Border Public Health Commission.

H. C. R. No. 38, Memorializing Congress to make certain changes in the Federal law in order that old people may supplement their grant.

H. C. R. No. 39, Requesting that the staff of the Texas Legislative Council be requested to make a study on the use of nuclear and thermonuclear energy upon the Texas economy.

H. C. R. No. 41, Suspension of Joint Rules of both Houses, so the House can take up Senate Bill 45.

H. C. R. No. 22, Granting permission to J. H. Peterson to sue the State of Texas.

H. C. R. No. 30, Granting Joe Crow permission to sue the State.

H. C. R. No. 28, Asking the director of the Livestock Sanitary Commission to furnish the next Session of the Legislature with information concerning the disease of Vesicular Exanthema.

Message from the Governor

The following message received from the Governor today, was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
April 12, 1954.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Secretary of State, to succeed Howard Carney, resigned, effective May 1, 1954:

C. E. Fulgham of Lubbock, Lubbock County;

To be a member of the Game and Fish Commission, to fill unexpired term of Scott Schreiner, resigned, term to expire September 1, 1955:

Hal Peterson of Kerrville, Kerr County;

To be branch pilots, Port Aransas Bar, Corpus Christi Bay and tributaries, for terms to expire March 16, 1956, and April 1, 1956, respectively:

John O. Teller of Nueces County;
Clyde W. Armstrong of Nueces County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Motion Submitted in Writing on House Bill 25

Senator Aikin submitted the following motion in writing on H. B. No. 25:

Mr. President: I move to suspend Rule 106 insofar as it applies to House Bill 25, an emergency appropriation for Public Junior Colleges.

AIKIN

The motion was read.

Senator Phillips moved to table the motion to suspend Rule 106 as it applies to House Bill 25.

Senator Moffett raised the point of order that a motion to table a motion to suspend the rules is out of order.

The President sustained the point of order.

Senator Phillips requested and was granted permission to address the Senate on Personal Privilege.

Question recurring on the motion by Senator Aikin to suspend Rule 106, the motion was lost by the following vote:

Yeas—11

Aikin	Moore
Corbin	Russell
Lane	Sadler
Latimer	Secrest
McDonald	Wagonseller
Moffett	

Nays—13

Ashley	Rogers
Bell	of Childress
Bracewell	Rogers of Travis
Hardeman	Rutherford
Lock	Strauss
Martin	Weinert
Phillips	Willis

Absent

Colson	Parkhouse
Fuller	Shireman
Kazen	

Absent—Excused

Hazlewood	Kelley
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Reason for Vote

I voted against the suspension of the Senate rules which provide for notice and public hearings on legislation. In my opinion this is one of the most fundamental protective rules which we have remaining in our rule book. I favor the adequate financing of our Public Junior Colleges. However, I feel that our rules of procedure must be preserved. For this reason I voted against suspending the rules.

STRAUSS

Senate Resolution 97

Senator Moffett offered the following resolution:

Whereas, Judge Alan B. Haley, District Judge from Wichita County, is a visitor in the Capitol today; and

Whereas, Judge Haley is desirous of observing the orderly processes of government while visiting in the Capital City, and has an abiding interest therein; now, therefore, be it

Resolved, That he be officially welcomed and extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senate Bill 12 With House Amendments

Senator Ashley called S. B. No. 12 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Ashley moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—24

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis
Moore	

Absent

Colson	Shireman
Fuller	Strauss
Kazen	

Absent—Excused

Hazlewood	Kelley
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Senate Resolution 98

Senator Bracewell offered the following resolution:

Whereas, It is fitting and proper and in keeping with the custom of the Senate that an addendum to the block picture of the Senate of the 53rd Legislature be prepared containing the pictures of the President Pro Tempore

for the First Called Session of the said 53rd Legislature and the President Pro Tempore ad interim; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the Secretary of the Senate be instructed to make the necessary arrangements for the said addendum to the block picture, subject to the approval of the contingent expense committee and Lieutenant Governor, containing the pictures of the Presidents Pro Tempore; and be it further

Resolved, That the picture of Nancy Elizabeth Martin be included and designated as the Sweetheart of the Senate of the First Called Session of the 53rd Legislature; and be it further

Resolved, That the expenses for the same be paid out of the contingent fund of the Senate.

The resolution was read and was adopted.

Reports of Standing Committee

Senator Corbin, by unanimous consent, submitted the following reports:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 56, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CORBIN, Chairman.

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 132, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CORBIN, Chairman.

House Concurrent Resolution 49 on Second Reading

On motion of Senator Rogers of Travis, and by unanimous consent, the regular order of business was suspended to take up for consideration at

this time on its second reading the following resolution:

H. C. R. No. 49, Suspending Joint Rules to consider House Bills Nos. 132 and 137.

The resolution was read the second time.

Senator Rogers of Travis offered the following amendment to the resolution:

Amend H. C. R. No. 49 by adding the words "subject to Senate Rule 106" after the last word of the resolution.

The amendment was adopted.

The resolution, as amended, was then adopted by the following vote:

Yeas—22

Aikin	Phillips
Ashley	Rogers
Bell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Hardeman	Rutherford
Lock	Sadler
Martin	Secrest
McDonald	Wagonseller
Moffett	Weinert
Moore	Willis
Parkhouse	

Nays—1

Latimer

Absent

Bracewell	Kazen
Fuller	Shireman
Lane	Strauss

Absent—Excused

Hazlewood Kelley

House Bills Nos. 56 and 132 and
House Concurrent Resolution 19
Ordered Not Printed

On motion of Senator Corbin, and by unanimous consent, H. B. Nos. 56 and 132 and H. C. R. No. 19 were ordered not printed.

House Bill 134 on Second Reading

The President laid before the Senate, as pending business, H. B. No. 134 on its second reading and passage to third reading, with an amendment by Senator Rutherford pending (the bill having been read second time this morning).

Question—Shall the amendment by Senator Rutherford to H. B. No. 134 be adopted?

Senator Rutherford, by unanimous consent, withdrew the pending amendment and offered the following amendment to the bill:

Amend H. B. 134 by adding a new section to be numbered Section 4a and reading as follows:

"The provisions of this Act shall in no wise affect or validate the incorporation or attempted incorporation of any city or town where the election held for such incorporation or attempted incorporation was held prior to January 1, 1953."

The amendment was adopted.

On motion of Senator Colson, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 134 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 134 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis
Moore	

Absent

Fuller	Shireman
Hardeman	Strauss
Kazen	

Absent—Excused

Hazlewood Kelley

House Bill 127 on Second Reading

Senator Aikin moved that the constitutional rule requiring bills to be

read on three several days be suspended and that H. B. No. 127 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis
Moore	

Absent

Fuller	Shireman
Hardeman	Strauss
Kazen	

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading, the following bill:

H. B. No. 127, A bill to be entitled "An Act which provides that the upper portion of the Sabine River is not a navigable stream insofar as hunting and fishing is concerned, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 127 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 127 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Martin
Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Phillips
Lane	Rogers
Latimer	of Childress
Lock	Rogers of Travis

Russell	Wagonseller
Rutherford	Weinert
Sadler	Willis
Secrest	

Absent

Fuller	Shireman
Hardeman	Strauss
Kazen	

Absent—Excused

Hazlewood	Kelley
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House Bill on First Reading

The following bill, received from the House today, was read first time and referred to the committee indicated:

H. B. No. 48, to the Committee on Finance.

House Concurrent Resolution 72 on Second Reading

The President laid before the Senate on its second reading, the following resolution:

H. C. R. No. 72, Honoring Mr. Morris Rauch of Houston, Texas.

The resolution was read second time.

On motion of Senator Bracewell, and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 42 on Second Reading

The President laid before the Senate on its second reading, the following resolution:

H. C. R. No. 42, Commemorating the Golden Anniversary of Delta Tau Delta fraternity.

The resolution was read.

On motion of Senator Ashley, and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 47 on Second Reading

The President laid before the Senate, on its second reading, the following resolution:

H. C. R. No. 47, Congratulating the City of Liberty and Liberty County, Texas, on the occasion of the celebration of their bicentennial anniversary.

The resolution was read.

On motion of Senator Colson, and by unanimous consent, the resolution was considered immediately and was adopted.

**House Concurrent Resolution 36
Ordered Not Printed**

On motion of Senator Bracewell, and by unanimous consent, H. C. R. No. 36 was ordered not printed.

**House Concurrent Resolution 36 on
Second Reading**

The President laid before the Senate, on its second reading, the following resolution:

H. C. R. No. 36, Requesting the Texas Legislative Council to study the insurance laws of this State.

The resolution was read.

On motion of Senator Bracewell, and by unanimous consent, the resolution was considered immediately and was adopted.

Leave of Absence

Senator Willis was granted leave of absence for remainder of day to see a doctor, on his own motion.

House Bill 132 on Second Reading

Senator Corbin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 132 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
Moffett	

Absent

Fuller	Shireman
McDonald	Willis
Russell	

Absent—Excused

Hazlewood Kelley

The President then laid before the Senate, on its second reading and passage to third reading, the following bill:

H. B. No. 132, A bill to be entitled "An Act further defining the practice of dentistry."

The bill was read second time and was passed to third reading.

House Bill 132 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 132 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Kazen	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert

Absent

Fuller	Shireman
Russell	Willis

Absent—Excused

Hazlewood Kelley

House Bill 56 on Second Reading

Senator Corbin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 56 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Lane
Ashley	Latimer
Bell	Lock
Colson	Martin
Corbin	Moffett
Hardeman	Moore
Kazen	Parkhouse

Phillips
Rogers
of Childress
Rogers of Travis
Russell

Rutherford
Sadler
Secrest
Wagonseller
Weinert

Absent

Bracewell
Fuller
McDonald

Shireman
Strauss
Willis

Absent—Excused

Hazlewood
Kelley

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 56, A bill to be entitled "An Act amending Sections 9 and 13 of Chapter 13, Acts of the 52nd Legislature, increasing the annual renewal fee for licensed vocational nurses, etc., and declaring an emergency."

The bill was read the second time.

Senator Corbin offered the following amendment to the bill:

Amend H. B. No. 56 by striking out all of Section 3.

The amendment was adopted.

Record of Vote

Senator Parkhouse asked to be recorded as voting "nay" on the adoption of the above amendment.

On motion of Senator Corbin, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

House Bill 56 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 56 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—24

Aikin
Ashley
Bell
Bracewell
Colson
Corbin
Hardeman

Kazen
Lane
Latimer
Lock
Martin
Moffett
Moore

Parkhouse
Phillips
Rogers
of Childress
Rogers of Travis
Russell

Rutherford
Sadler
Secrest
Wagonseller
Weinert

Absent

Fuller
McDonald
Shireman

Strauss
Willis

Absent—Excused

Hazlewood
Kelley

House Concurrent Resolution 19 on Second Reading

Senator Corbin moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that H. C. R. No. 19 be placed on its second reading and final adoption.

The motion prevailed by the following vote:

Yeas—22

Aikin
Bell
Colson
Corbin
Hardeman
Kazen
Lane
Latimer
Lock
Martin
Moffett
Moore

Parkhouse
Phillips
Rogers
of Childress
Rogers of Travis
Russell
Rutherford
Sadler
Secrest
Wagonseller
Weinert

Absent

Ashley
Bracewell
Fuller
McDonald

Shireman
Strauss
Willis

Absent—Excused

Hazlewood
Kelley

The President then laid before the Senate on its second reading the following resolution:

H. C. R. No. 19, Declaring Legislative policy concerning the requirement for receiving a degree from any tax-supported State institution of higher education to include six (6) credit hours in government.

The resolution was read the second time and was adopted.

Report of Standing Committee

Senator Aikin, by unanimous consent, submitted the following report:

Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 84, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

AIKIN, Chairman.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 12, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 44, Urging all citizens to give active support to S. J. R. No. 10 proposing an amendment to the Constitution of the State of Texas.

The House has concurred in Senate amendments to House Bill No. 61 by vote of 110 yeas, and 0 nays and 1 present not voting.

S. C. R. No. 14, Granting Empire Gas and Fuel Company, et al., permission to sue the State.

S. C. R. No. 15, Granting Ann Utz permission to sue the State.

The House has concurred in Senate amendments to House Bill No. 109 by vote of 118 yeas, and 0 nays.

The House has concurred in Senate amendments to House Bill No. 64 by vote of 119 yeas, and 2 nays.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bill 53 on Second Reading

Senator Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 53 be placed on its second reading and pass-

age to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Parkhouse
Bell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Kazen	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Wagonseller
Moffett	Weinert

Absent

Ashley	Moore
Bracewell	Shireman
Fuller	Strauss
McDonald	Willis

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 53, A bill to be entitled "An Act authorizing the State Highway Department to execute quitclaim deed of abandoned highway land in Cooke County, Texas, etc.; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 53 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 53 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—21

Aikin	Parkhouse
Bell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Kazen	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Wagonseller
Moffett	Weinert

Absent

Ashley	Moore
Bracewell	Shireman
Fuller	Strauss
McDonald	Willis

Absent—Excused

Hazlewood	Kelley
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House Concurrent Resolution 44 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 44, Urging all citizens to give active support to S. J. R. No. 10.

The resolution was read.

On motion of Senator Moffett, and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 84 on Second Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 84 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Kazen
Ashley	Latimer
Bell	Lock
Colson	Martin
Corbin	McDonald
Hardeman	Moffett

Moore	Russell
Parkhouse	Rutherford
Phillips	Sadler
Rogers	Secrest
of Childress	Wagonseller
Rogers of Travis	Weinert

Absent

Bracewell	Shireman
Fuller	Strauss
Lane	Willis

Absent—Excused

Hazlewood	Kelley
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 84, A bill to be entitled "An Act amending Section 1 of Chapter 228, Acts of Regular Session, 53rd Legislature, relating to contracts employing superintendents, principals, teachers, in certain counties, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 84 on Third Reading

The constitutional rule requiring bills to be read in three several days having been suspended, the President laid H. B. No. 84 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Adjournment

On motion of Senator Weinert, the Senate at 4:35 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
J. Marcus Smith

Senator Colson offered the following resolution:

(Senate Resolution 89)

Whereas, On March 2, 1954, the useful and illustrious life of J. Marcus Smith came to a close in the city of his birth and among the countless friends whom he loved and had served so well; and

Whereas, J. Marcus Smith was born in Huntsville on January 19, 1883 in the community in which his family has long been identified with the welfare and advancement of Huntsville and of Walker County; and

Whereas, Among the woods, fields and streams which meant so much to him, he prospered as a cattleman and developed as a man of peace and as a true and loyal friend whose strength of character and noble and patient ways made him respected and beloved by persons in every walk of life; and

Whereas, In business he was conscientious and industrious and exemplified executive ability and unselfish consideration for others; and

Whereas, He was a devout churchman, serving as a member of the Board of the First Christian Church; and in public affairs was a member of the Huntsville Memorial Hospital Board, a former alderman for fifteen years, Mayor of Huntsville for over three years and at the time of his death was Chairman of the Huntsville Democratic Executive Committee, a position he had held since 1939; and

Whereas, His cheerful optimism, never-failing wit, devotion to duty and civic zeal were a great inspiration to all with whom he came in contact; and

Whereas, He is survived by four sons, J. P. of Houston, George W. of Los Angeles, California, Thomas J. and Joe M. of Huntsville; two daughters, Mrs. Raymond Davis of Huntsville and Mrs. Knox Thomas of Baytown; eight grandchildren; one great-grandchild; three brothers; and two sisters; and

Whereas, He leaves to them the greatest heritage known to man—a life of honor and integrity and accomplishment; now, therefore, be it

Resolved, by the Senate of the Fifty-third Legislature of the State of Texas, That the sympathy of this Body be extended to his esteemed family; that they be furnished copies of this resolution, and that a page in the Journal be set aside as a memorial to him; and, be it further

Resolved, That when the Senate adjourns today, it do so in tribute to Mr. J. Marcus Smith, whose kind deeds will live long in the memory of his multitude of friends.

The resolution was read and was adopted by a rising vote of the Senate.